106th TN General Assembly

First Regular Session



Monday, June 1, 2009

Senate – No Session House – 38th Legislative Day

SENATE

COMMITTEE REPORTS

EDUCATION - SHR #12 - 3:30 p.m. -

Rec. for pass. if am., ref to Calendar – SB's 23, 1590.

GENERAL WELFARE, HEALTH & HUMAN RESOURCES - SHR #12 - 4:30 p.m. -

Rec. for pass. if am., ref to Calendar – SB's 1039, 1083, 370, 358.

Rec. for pass. if am., ref to Calendar - SB 1388.

Rec. for pass. if am., ref to FW&M – SB 371.

Action def. - SB's 198, 434.

TRANSPORTATION - SHR #12 - 3:00 p.m. -

Rec. for pass. if am., ref to Calendar – SB 969.

Rec. for adopt., ref to Calendar – SJR's 335, 510.

Rec. for adopt. if am., ref to Calendar – SJR 230.

Rec. for concur., ref to Calendar – HJR 78.

MESSAGE FROM THE GOVERNOR

SJR 495 - SIGNED 5/28/09.

SJR's 423, 424, 425, 426, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 496, 497, 498, 499, 501, 502, 503, 504, 505, 506, 507, 508,509, 511, 512, 513, 534 – SIGNED 5/28/09.

SB 443 - SIGNED 5/29/09.

CALENDARS FOR TUESDAY, JUNE 2, 2009

Consent

1. SJR 0545 by *Ketron

Memorials, Interns - Brett Martin -

2. SJR 0564 by *McNally

Memorials, Retirement - John W. Smith, Jr. -

(Senate Consent Calendar cont.)

3. SJR 0565 by *Barnes

Memorials, Academic Achievement - Matt Johns, Salutatorian, Cheatham County Central High School -

4. SJR 0566 by *Herron

Memorials, Sports - Lester Hudson -

5. SJR 0567 by *Herron

Memorials, Academic Achievement - Brandi Leigh Walker, Salutatorian, Dresden High School -

6. SJR 0568 by *Herron

Memorials, Academic Achievement - William Hunter Trevathan, Salutatorian, Gleason High School -

7. SJR 0569 by *Herron

Memorials, Academic Achievement - James Alexander Verdell, Valedictorian, Gleason High School -

8. SJR 0570 by *Herron

Memorials, Academic Achievement - Robert Davis, Valedictorian, Westview High School -

9. SJR 0571 by *Herron

Memorials, Academic Achievement - Blake Hooten, Salutatorian, Westview High School -

10. SJR 0572 by *Herron

Memorials, Academic Achievement - Jarrod Alan Collins, honorable mention, Henry County High School -

11. SJR 0573 by *Herron

Memorials, Academic Achievement - Taylor Wilson, Salutatorian, Henry County High School -

12. SJR 0574 by *Herron

Memorials, Academic Achievement - Jordan Ashlyn Johnson, Salutatorian, Riverside High School

13. SJR 0575 by *Herron

Memorials, Academic Achievement - Devyn Danielle Schwab, Valedictorian, Riverside High School -

14. SJR 0576 by *Herron

Memorials, Academic Achievement - Haley Rose Allen, Valedictorian, Henry County High School -

15. SJR 0577 by *Herron

Memorials, Death - Millard Fuller -

16. SJR 0578 by *Herron

Memorials, Death - Dr. Larry T. McGehee -

17. SJR 0579 by *Herron

Memorials, Interns - Nathan Frisbee -

18. SJR 0580 by *Overbey

Memorials, Academic Achievement - Victoria Ann Russell, Valedictorian, Covenant Christian Academy -

19. SJR 0581 by *Overbey

Memorials, Academic Achievement - Christopher Ellis Castle, Jr., Salutatorian, Covenant Christian Academy -

20. SJR 0583 by *Barnes

Memorials, Recognition - Dr. John David Laida -

21. SR 0146 by *Beavers

Memorials, Heroism - Officer Kasey Fitts -

22. SR 0147 by *Beavers

Memorials, Heroism - Millersville Police Chief Ronnie Williams -

23. SR 0148 by *Burchett

Memorials, Recognition - William O. Warwick, Fulton High School Wall of Fame -

24. SR 0149 by *Burchett

Memorials, Recognition - Gloria Ray, Fulton High School Wall of Fame -

25. SR 0150 by *Burchett

Memorials, Recognition - Bob Black, Fulton High School Wall of Fame -

(Senate Consent Calendar cont.)

26. SR 0151 by *Burchett

Memorials, Recognition - Larry Cox, Fulton High School Wall of Fame -

27. SR 0152 by *Burchett

Memorials, Recognition - Ossoli Circle Clubhouse, 75th anniversary -

28. *HJR 0166 by *Harwell

General Assembly, Statement of Intent or Position - Expresses support for the Employer Partnership. -

29. HJR 0514 by *Tidwell

Memorials, Academic Achievement - Caitlin Alana Farmer, Valedictorian, Waverly Central High School -

30. HJR 0515 by *Tidwell

Memorials, Academic Achievement - Lauren Brooke Little, Valedictorian, Waverly Central High School -

31. HJR 0516 by *Tidwell

Memorials, Academic Achievement - Kelly Rose Burdett, Salutatorian, Santa Fe Unit School -

32. HJR 0517 by *Tidwell

Memorials, Academic Achievement - Robert Byron Baker, Valedictorian, Santa Fe Unit School -

33. HJR 0518 by *Tidwell

Memorials, Academic Achievement - Katelin Louvenia Couch, Valedictorian, Waverly Central High School -

34. HJR 0519 by *Tidwell

Memorials, Academic Achievement - Natalie Nicole Undis, Valedictorian, Waverly Central High School -

35. HJR 0520 by *Tidwell

Memorials, Academic Achievement - Ashton Beth Carnahan, Valedictorian, Waverly Central High School -

36. HJR 0521 by *Tidwell

Memorials, Academic Achievement - Annie Morgan Powers, Valedictorian, Waverly Central High School -

37. HJR 0522 by *Tidwell

Memorials, Academic Achievement - Andrea Renee Hobson, Valedictorian, McEwen High School -

38. HJR 0523 by *Tidwell

Memorials, Academic Achievement - Thomas Anthony Werfel, Valedictorian, Waverly Central High School -

39. HJR 0524 by *Tidwell

Memorials, Academic Achievement - Gina Lee Milliken, Valedictorian, Waverly Central High School -

40. HJR 0525 by *Tidwell

Memorials, Academic Achievement - Lauren Elizabeth Rumsey, Valedictorian, Waverly Central High School -

41. HJR 0526 by *Tidwell

Memorials, Academic Achievement - Brittany Dawn Craft, Valedictorian, McEwen High School -

42. HJR 0527 by *Tidwell

Memorials, Academic Achievement - Rachel Michele Serkownek, Valedictorian, Hampshire Unit School -

43. HJR 0528 by *Tidwell

Memorials, Academic Achievement - Kimberly Nicole Young, Salutatorian, Hampshire Unit School -

44. HJR 0529 by *Tidwell

Memorials, Academic Achievement - Tyler Leighton Bone, Valedictorian, Waverly Central High School -

45. HJR 0530 by *Cobb T

Memorials, Recognition - Starlene Buie -

(Senate Consent Calendar cont.)

46. HJR 0531 by *Fincher

Memorials, Personal Occasion - Kaul Esmer Fincher, 85th birthday -

47. HJR 0532 by *Fincher

Memorials, Personal Occasion - Bette Flo Morgan Fincher, 80th birthday -

48. HJR 0533 by *Fincher

Memorials, Recognition - Mitch Baker -

49. HJR 0534 by *DeBerry J

Memorials, Recognition - The Christian Unity Seekers -

50. HJR 0535 by *Naifeh, DeBerry L, Miller L, Maddox, Fitzhugh, DeBerry J

Memorials, Death - Jimmie Wall Farris -

51. HJR 0536 by *DeBerry L

Memorials, Recognition - Jerome Miller -

52. HJR 0538 by *Mumpower

Memorials, Interns - Brittany Via -

53. HJR 0539 by *Maddox, Shepard

Memorials, Professional Achievement - Timothy L. Tucker, 2008-2009 President of the American Pharmacists Association -

54. HJR 0540 by *Matlock

Memorials, Personal Occasion - Boyd and Ruth Goodwin, 70th anniversary -

55. HJR 0541 by *Cobb C

Memorials, Retirement - James R. Warren, Jr. -

56. HJR 0543 by *Lundberg, Mumpower, Shipley

Memorials, Congratulations - Samantha Leigh Lundberg -

57. HJR 0544 by *Harwell

Memorials, Interns - Jordan Donegan -

58. HJR 0545 by *Maddox

Memorials, Academic Achievement - Rick Herron, Valedictorian, Dresden High School -

59. HJR 0548 by *Windle

Memorials, Recognition - Star of Hope Chapel, 30th anniversary -

60. HJR 0550 by *Casada

Memorials, Personal Occasion - Clara Ziemba, 90th Birthday -

Regular

1. SB 0859 by *Black (*HB 0327 by *Jones S, Hardaway)

Courts, Juvenile - As introduced, requires the juvenile court to work in coordination with any other court having jurisdiction over the child or the child's family when requiring any parent or legal guardian of a child within the jurisdiction of the court to participate in any counseling or treatment program the court may deem appropriate and in the best interest of the child. - Amends TCA Title 16; Title 17; Title 18; Title 34; Title 36; Title 37; Title 39 and Title 40.

2. *SB 0927 by *Stanley (HB 1348 by *Kelsey, Watson, Dennis, Hardaway)

Mental Illness - As introduced, authorizes court to order outpatient evaluation of criminal defendant pending a post-trial proceeding under certain circumstances. - Amends TCA Title 33, Chapter 7, Part 3.

3. SB 0988 by *Beavers (*HB 0722 by *Niceley, Campfield)

Physicians and Surgeons - As introduced, removes the Class B misdemeanor offense of practicing naturopathy. - Amends TCA Section 63-6-205.

4. *SB 1468 by *Haynes, Harper (HB 1432 by *Sontany, Rich, Hensley)

Nuisances - As introduced, includes zoning violations and violations of building and property standards and codes as nuisances for purposes of laws regarding abatement of nuisances. - Amends TCA Title 29, Chapter 3.

(Senate Regular Calendar cont.)

5. *SB 1706 by *Overbey (HB 1921 by *Montgomery)

Municipal Government - As introduced, clarifies the authority of the legislative body of a municipality to approve the acquisition of a public facility that had been improved or constructed by a third party and to issue revenue bonds to finance all costs and expenses incurred in connection with the acquisition of the facilities. - Amends TCA Title 7, Chapter 32 and Title 7, Chapter 33.

6. *SB 1786 by *Herron (HB 1651 by *Armstrong, Jones S)

Podiatrists - As introduced, increases per diem for serving on board of podiatric medical examiners from \$50.00 to \$100; revises certain podiatric licensure requirements. - Amends TCA Title 63, Chapter 3.

7. SB 1827 by *Kyle (*HB 0583 by *Fincher, Dean, Rich, Todd, Faulkner, Brooks H, Brown, Sontany, Coleman, Weaver, Roach, Harrison, Watson, Haynes, Moore, Cobb C)

Criminal Procedure - As introduced, adds property received that is used as instrumentality in or in furtherance of violation of any criminal offense to criminal proceeds subject to forfeiture. - Amends TCA Title 39.

8. SB 2114 by *Norris, Bunch (*HB 2141 by *Lundberg, Coleman)

Courts - As introduced, revises the membership of the judicial selection commission and the judicial evaluation commission; decreases term of commission members from six to four years; requires senate confirmation of governor's nominee to fill a vacancy for any state court judge; increases the vote from a majority vote to 60 percent vote that a judge must receive in a retention election; extends the sunset provision for the judicial selection and evaluation commissions to June 30, 2011. - Amends TCA Title 2; Title 4; Title 16 and Title 17.

9. SB 2201 by *Marrero B, Harper (*HB 2344 by *Jones S)

Mental Retardation - As introduced, requires the commissioner of mental health and developmental disabilities to designate staff to serve as a liaison to the administrative office of the courts concerning licensing of facilities for persons with developmental disabilities who are interacting with the court system and to recommend appropriate legislation to relevant house and senate standing committees. - Amends TCA Title 13, Chapter 24, Part 1 and Title 33, Chapter 2, Part 4.

10. SB 2315 by *Kyle, Henry (*HB 2324 by *Curtiss, Turner M)

Unemployment Compensation - As introduced, revises the penalties and punishments imposed on any person or employing unit that knowingly violates or attempts to violate the provisions governing experience ratings for employers, or knowingly advises another person or employing unit to violate the provisions. - Amends TCA Title 50, Chapter 7 and Title 62, Chapter 43.

11. *HB 0093 by *Moore, Hardaway (SB 0277 by *Haynes)

Hospitals and Health Care Facilities - As introduced, requires criminal background checks to be conducted for direct care employees "prior to employment" instead of "prior to employment or within seven days of employment". - Amends TCA Section 68-11-256.

12. HB 0703 by *Watson (*SB 0202 by *Bunch)

Public Records - As introduced, designates as classified and exempt from public disclosure records that are directly related to the security of government buildings. - Amends TCA Title 10, Chapter 7.

13. HB 2220 by *Stewart, Dean, Cobb T (*SB 2153 by *Haynes)

Criminal Procedure - As introduced, authorizes use of fingerprint as form of acknowledgment in lieu of, or in addition to, a person's signature for citations and certain other notices and documents. - Amends TCA Title 7, Chapter 63; Title 16, Chapter 1; Title 40, Chapter 7 and Title 55, Chapter 50.

14. *SB 0038 by *Tracy, Ketron, Faulk, Yager (HB 0250 by *Carr, Matheny, Shipley, Evans, Lynn, Maggart, Rich, Weaver, Lollar, Hill)

Alcoholic Offenses - As introduced, creates a misdemeanor offense to knowingly allow a minor to drink or possess alcoholic beverages or knowingly fail to stop a minor from drinking or possessing alcoholic beverages while the minor is present on real property owned or otherwise possessed by the offender; establishes certain exceptions. - Amends TCA Title 39, Chapter 15, Part 4 and Title 57.

(Senate Regular Calendar cont.)

- 15. SB 0539 by *Ketron, Burks (*HB 0351 by *Hackworth, Hardaway, Faulkner, Rich, Todd, Dean, Watson, Brooks H, Fincher, Evans, Moore, Eldridge, Cobb T, Bass, McDonald, Windle, Lollar, Shipley) Criminal Offenses As introduced, creates new Class E and D felony offenses of assault on law enforcement officer, and Class B felony offense of aggravated assault on law enforcement officer. Amends TCA Title 39, Chapter 13, Part 1.
- 16. *SB 0660 by *Stanley (HB 1779 by *Casada)
 Utilities, Utility Districts As introduced, establishes review of Utility Management Review
 Board decisions by the Tennessee Regulatory Authority. Amends TCA Title 7, Chapter 82.
- 17. *SB 0857 by *Black (HB 1122 by *Maggart, Cobb T, Fincher, Lynn, Lundberg, Bass)
 Aircraft and Airports As introduced, provides a mechanism for an airport authority or regional airport authority to be dissolved. Amends TCA Title 42.
- **18.** *SB 1280 by *Bunch (HB 1504 by *Coleman)

 Public Records As introduced, establishes immunity from civil liability for persons furnishing, disclosing, or requesting information without malice pursuant to public records laws. Amends TCA Title 8, Chapter 4; Title 8, Chapter 44 and Title 10, Chapter 7.
- 19. SB 1502 by *Burchett (*HB 1202 by *McCord)
 Traffic Safety As introduced, prohibits entering into or modifying existing contracts for installation of surveillance cameras if revenues from traffic fines are shared with company; and extends traffic signals' yellow light at intersections with surveillance cameras to five seconds. Amends TCA Title 6; Title 7 and Title 55.
- 20. SB 1666 by *Finney L, Overbey, Marrero B, Black (*HB 1201 by *Pitts, Tindell, Campfield, Cobb T, Fincher)

Child Abuse - As introduced, redefines the offense of child endangerment to be when a parent or custodian of a child eight years of age or less knowingly exposes such child to or knowingly fails to protect such child from abuse or neglect resulting in physical injury to the child. - Amends TCA Title 37, Chapter 1; Title 39, Chapter 11 and Title 39, Chapter 15.

- 21. *SB 1956 by *Crowe, Barnes, Marrero B (HB 1810 by *Hill)

 Food and Food Products As introduced, exempts 501(c)(3) organizations from certain regulations for food service establishments when food is handled by volunteers or served to the homeless. Amends TCA Title 68, Chapter 14, Part 3.
- 22. SB 2156 by *Ketron (*HB 2139 by *Todd)

 Municipal Government As introduced, codifies the generally accepted practice of municipal governing bodies to act by ordinance if the general law or charter requires the action to be by ordinance and definitely if the action levies a tax, makes a special assessment, is permanent in nature, or has a regulatory or penal effect. Amends TCA Title 6, Chapter 54, Part 5.
- 23. SB 2196 by *Kyle (*HB 2175 by *DeBerry L)

 Taxes, Real Property As introduced, exempts Shelby County from prohibition against correcting clerical mistakes in tax reports or schedule filed by a taxpayer with the assessor. Amends TCA Title 67, Chapter 5.
- 24. SB 2300 by *Kyle, Berke, Henry, McNally, Yager, Tate, Finney L, Marrero B, Herron, Burchett (*HB 2318 by *Winningham, Hackworth, Brooks K, Eldridge, Johnson P, Turner M, McCord)
 Energy As introduced, requires department of finance and administration to develop a plan for

ensuring state-owned facilities have individual energy meters by 2010; includes an electric vehicle in the definition of "energy-efficient vehicle" for purposes of provisions governing energy-efficient state-owned vehicles; requires that statewide building construction safety standards include provisions for energy efficiency. - Amends TCA Title 4, Chapter 3, and 22; Title 12, Chapter 3; Title 67, Chapter 6; Title 68, Chapter 120 and Title 71, Chapter 5.

- 25. SB 2363 by *Bunch (HB 2396 by *Bell)
 - Niota As introduced, subject to local approval, rewrites charter. Amends Chapter 48 of the Private Acts of 1919; as amended.
- 26. *SJR 0327 by *Johnson, Gresham, Black

General Assembly, Statement of Intent or Position - Declares that Tennessee will not participate in a Federally-mandated carbon cap-and-trade system. -

SENATE CONVENES AT 9:00 A.M., TUESDAY, JUNE 2, 2009

HOUSE

BILLS / RESOLUTIONS

Received from Senate, held on House desk – SB's 520, 693, 2015.

HR 0169 by *Haynes, Dunn

Memorials, Interns - Chelsea Conn -

HR 0170 by *Tindell

Lottery, Charitable - Approves 2009-2010 501(c)(3) annual events on second omnibus list by the house of representatives. -

HR 0171 by *Fincher, Sontany, Coleman

Memorials, Interns - Joel Reed Nelson -

HR 0172 by *Matlock

Memorials, Academic Achievement - Lindsay Lenoir Matlock, Bryan College -

HJR 0574 by *Brown

Memorials, Recognition - First Lego League teams -

HJR 0575 by *Cobb T

Memorials, Recognition - First Farmers and Merchants Bank, 100th Anniversary -

HJR 0576 by *Barker, Fitzhugh

Memorials, Sports - Dyer County High School baseball team, 2009 TSSAA Class AA State Champions -

HJR 0577 by *Ramsey, McCord

Memorials, Retirement - William R. Keck -

HJR 0578 by *Matlock

Memorials, Retirement - David Meers -

SECOND CONSIDERATION

HELD ON DESK - HB's 2409, 2410, 2411.

THIRD CONSIDERATION

Consent Calendar:

HB's 529, 2406 - PASSED 94-0-2.

HJR 382 - ADOPTED 94-0-2.

HB 2400 - PASSED 94-0-2.

HB's 2399, 2402, HJR 472, HB 2408 – RE-SET to 6/3/09.

HR 168 - ADOPTED 94-0-2.

HJR's 572, 573 – ADOPTED 94-0-2.

SJR's 535, 536, 537, 538, 539, 540, 541, 542, 546, 547, 548, 549 - CONCURRED 94-0-2.

SJR's 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562 – CONCURRED 94-0-2.

Regular Calendar:

HB 1348 - Amd. #1 ad. - PASSED AS AMENDED 94-0.

HB 378 - Amd. #1 ad. - PASSED AS AMENDED 94-1.

HB 1379 - Amd. #1 ad. - PASSED AS AMENDED 95-0.

HB 1587 - s/c SB 1655 - Amd. #1 ad. - PASSED AS AMENDED 80-15-1.

HB 2058 - s/c SB 1979 - PASSED 96-0.

HB 1760 - s/c SB 1201 - PASSED 95-1.

SB 1109 - PASSED 91-2.

HB 1383 - s/c SB 1650 - PASSED 95-0.

HB 92 – Amds. #2, 3 ad. – PASSED AS AMENDED 90-4-1.

HB 2324 - Amds. #1, 2 ad. - PASSED AS AMENDED 76-19.

HB 1477 - Amd. #1 ad. - PASSED AS AMENDED 94-0-2.

HB 244 - s/c SB 242 - Amd. #2 ad. - PASSED AS AMENDED 96-0.

```
(House Third Considerations cont.)
```

HB 686 - Amd. #2 ad. - PASSED AS AMENDED 96-0.

HB 983 - Amd. #1 ad. - PASSED AS AMENDED 62-28-3.

HB 1114 – PASSED 96-0.

HB 610 - s/c SB 104 - PASSED 68-20-5.

HB 898 - RE-SET to 6/3/09.

HB 1651 - Amd. #1 ad. - PASSED AS AMENDED 94-2.

HB 1144 - s/c SB 861 - RE-SET to 6/3/09.

HB 1503 - Amd. #1 ad. - PASSED AS AMENDED 95-0.

HB 238 – HELD on desk.

HB 2175 – HELD on desk.

HB 1518 - s/c SB 1089 - PASSED 94-0.

HB 1743 – HELD on desk.

HB 461 – s/c SB 607 – Amd. #1 ad. – PASSED AS AMENDED 91-2.

HB 852 - s/c SB 818 - PASSED 95-0.

HB 234 – Amds. #1, 2 ad. – PASSED AS AMENDED 92-1.

HR 92 – Amd. #1 ad. – ADOPTED AS AMENDED 92-1-1.

HB 1615 - s/c SB 632 - PASSED 72-22.

HB 1202 – Amds. #1, 2 ad. – PASSED AS AMENDED 89-10-3.

HJR 369 - Amd. #1 ad. - ADOPTED AS AMENDED 70-20-2.

HB 999 - s/c SB 1006 - PASSED 94-0.

SB 1652 - Amd. #2 ad. - PASSED AS AMENDED 95-0.

SB 1166 - PASSED 93-1.

HB 1692 – RE-SET to 6/8/09.

HB 472 - Amd. #1 ad. - PASSED AS AMENDED 95-0.

HJR 4 – Amd. #2 ad. – ADOPTED AS AMENDED – 84-10-1.

HB 129 - PASSED 81-13.

Message Calendar:

SB 651 – Tabling motion lifted; reconsidered passage; H Amd. #1 reconsidered and withdrawn; PASSED 94-0.

HB 1105 – S Amd. #1 CONCURRED.

HB 1029 - HELD on desk.

OTHER ACTION

HR 70 – Placed on 6/2 Budget subcommittee calendar.

SUBCOMMITTEE CALENDARS FOR TUESDAY, JUNE 2, 2009

BUDGET – HHR #16 – 10:30 a.m. – Appropriations Calendar: HB's 2391, 2392, 2390.

MESSAGE FROM THE GOVERNOR

HB 962 – VETOED 5/28/09.

HB 1751 - SIGNED 5/28/09.

HJR's 457, 458, 459, 460, 461, 462, 464, 465, 466, 467, 468, 469, 470, 471, 474, 475, 476, 478, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 537 – SIGNED 5/29/09.

HB's 355, 516, 556, 1126, 1247 - SIGNED 5/29/09.

HB 1676 - SIGNED 6/1/09.

HOUSE CONVENES AT 9:00 A.M., WEDNESDAY, JUNE 3, 2009